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MYERS BIGEL SIBLEY & SAJOVEC, P.A.
P.O. BOX 37428
RALEIGH, NORTH CAROLINA 27627

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OFFICE OF PETITIONS

In re Application of :
Carpenter et al. :
Application No. 10/627,928 :
Filed: July 25, 2003 : ON PETITION
Attorney Docket No. :
9314-42 :

This is a decision in response to the Petition to Accord the Proper Filing Date, filed January 2, 2004, under 37 CFR 1.10(c), requesting the application be accorded a filing date of July 25, 2003, instead of the presently accorded filing date of July 26, 2003.

This Petition is hereby granted.

Petitioner alleges that the application was deposited in Express Mail service on July 25, 2003. In support of the allegation, the petition is accompanied by a copy of Express Mail label No. EV318419895US. Although the "Date In" indicated on the Express Mail label is indiscernable, the Express Mail Label is properly addressed to the Commissioner for Patents, and the Express Mail label contains a United States Postal Service (USPS) stamp of July 25, 2003. The same Express Mail label number was placed on the original application papers located in the official file. Petitioner has also provided a copy of the USPS Track and Confirm, which identifies Express Mail label No. EV318419895US as having been accepted for delivery by the USPS on July 25, 2003.

In view of the above, the petition is granted. No fee is necessary.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.

Derek L. Woods
Petitions Attorney
Office of Petitions